

Week Ending Friday, May 19, 2000

**Message to the Congress
Transmitting the Proposed
“Consumer Product Safety
Commission Enhanced Enforcement
Act of 2000”**

May 12, 2000

To the Congress of the United States:

I am pleased to transmit today for immediate consideration and prompt enactment the “Consumer Product Safety Commission Enhanced Enforcement Act of 2000.” This legislative proposal would increase the penalties that the Consumer Product Safety Commission (CPSC) could impose upon manufacturers, distributors, and retailers of consumer products who do not inform the CPSC when the company has reason to believe it has sold a product that does not meet Federal safety standards or could otherwise create a substantial product hazard. The proposal would also improve product recalls by enabling the CPSC to choose an alternative remedy in a recall if the CPSC finds that the remedy selected by the manufacturer is not in the public interest.

Under current consumer product safety laws, manufacturers, distributors, and retailers of consumer products are required to inform the CPSC whenever they have information that one of their products: (1) fails to comply with a CPSC product safety standard; (2) contains a defect that could create a substantial product hazard; or (3) creates an unreasonable risk of serious injury or death. After a company reports this information to the CPSC, the CPSC staff initiates an investigation in cooperation with the company. If the CPSC concludes that the product presents a substantial product hazard and that a recall is in the public interest, the CPSC staff will work with the company to conduct a product safety recall. The sooner the CPSC hears about a dangerous product, the sooner the CPSC can act to remove the product from store shelves and inform consumers

about how to eliminate the hazard. That is why it is critical that companies inform the CPSC as soon as they are aware that one of their products may present a serious hazard to the public.

Unfortunately, in about half the cases involving the most significant hazards—where the product can cause death or serious injury—companies do not report to the CPSC. In those cases, the CPSC must get safety information from other sources, including its own investigators, consumers, or tragically, from hospital emergency room reports or death certificates. Sometimes years can pass before the CPSC learns of the product hazard, although the company may have been aware of it all along. During that time, deaths and injuries continue. Once the CPSC becomes aware of the hazard, many companies continue to be recalcitrant, and the CPSC staff must conduct its own independent investigation. This often includes finding and investigating product incidents and conducting extensive laboratory testing. This process can take a long time, which means that the most dangerous products remain on store shelves and in consumers’ homes longer, placing children and families at continuing risk.

The Consumer Product Safety Commission can currently assess civil penalties against companies who fail to report a dangerous product. Criminal penalties are also available in particularly serious cases. In fact, in 1999, the CPSC assessed 10 times the amount of civil penalties assessed 10 years ago. But, even with this more vigorous enforcement, too many companies still do not report, especially in cases involving serious harm.

This legislative proposal would enhance the CPSC’s civil and criminal enforcement authority. It would provide an added incentive for companies to comply with the law so that we can get dangerous products out

of stores and consumers' homes more quickly.

My legislative proposal would also help to make some product recalls more effective by allowing the CPSC to choose an alternative remedy if the CPSC finds that the manufacturer's chosen remedy is not in the public interest. Under current law, a company with a defective product that is being recalled has the right to select the remedy to be offered to the public. My proposal would continue to permit the company to select the remedy in a product recall. My proposal would also, however, allow the CPSC to determine—after an opportunity for a hearing—that the remedy selected by the company is not in the public interest. The CPSC may then order the company to carry out an alternative program that is in the public interest.

The Consumer Product Safety Commission helps to keep America's children and families safe. This legislative proposal would help the CPSC be even more effective in protecting the public from dangerous products. I urge the Congress to give this legislation prompt and favorable consideration.

William J. Clinton

The White House,
May 12, 2000.

NOTE: This item was not received in time for publication in the appropriate issue.

The President's Radio Address

May 13, 2000

Good morning. This weekend Americans celebrate the first Mother's Day of the 21st century. For most of us, it's a happy occasion, a chance to thank the women who gave us life, cared for us as children, nurtured us into adulthood. But for thousands of mothers and fathers whose children have been killed by gun fire, tomorrow will be a day of sad memories.

Every day in America, nearly a dozen children are killed by guns, and 12 families receive a wound that never heals. And every day in America millions of moms and dads watch their children walk out the door in the morning and wonder if they'll come home safe that night.

That's why the First Lady and I are giving our strong support to tomorrow's Million Mom March. Tens of thousands of mothers and others are marching in Washington and more than 60 other cities across our Nation. They're saying, enough is enough. Congress must pass commonsense gun legislation to protect our children without constraining the rights of legitimate gun owners.

Many of the organizers have lost children of their own and other loved ones to gun fire. This past week I met with some of them at the White House and heard their stories: a son shot while playing with neighbors in his own backyard in New York; a teenager shot at his front door by party crashers in Virginia; a daughter shot with four others by classmates at her Arkansas middle school; a young man shot by Illinois gang members who expected, just like on television, that he would get up and walk away.

These moms are finding in their fear and loss the strength to send a wake-up call across America. As a father, I was heartbroken by their stories; as an American citizen, I was inspired. They're saying gun violence touches us all, wherever we live, whatever the color of our skin, whether or not we have children. They remind us that the loss of a child is a loss for us all. And they know we have the power to do something about it.

We do have the power to teach our children the right values, to build strong communities, to crack down on those who use guns to commit crimes. But the key to our success in this, as in so many areas, has got to be more prevention, doing more to keep guns out of the hands of children and criminals in the first place. There's no reason why we can't do that.

The Million Mom March is calling on Congress to act on the commonsense gun legislation that has been before it for 10 months now. The bill wouldn't take away anybody's gun or make anyone miss a day during the hunting season. What it would do is to close the loophole that lets anyone buy a gun at a gun show without a background check. It would require child safety locks with all new handguns. And it would ban the import of large capacity ammunition clips, which nobody is using for sport or self-defense, and